



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS  
REGULAR MEETING  
April 6, 2009

Attending:

Board of Supervisors

Kevin C. Kerr, Chairman  
Guy A Donatelli, Vice-Chairman  
Catherine A. Tomlinson, Member

Township Administration

Gwen A. Jonik, Township Secretary  
John DeMarco, Chief of Police  
Mike Heckman, Director of Public Works  
Karen Wertz, Treasurer  
Cheryl Neri, Assistant Treasurer  
Al Gaspari, Codes Administrator  
Dave Leh, P.E., Gilmore & Associates  
Sheila Fleming, Senior Planner, Brandywine  
Conservancy

Mr. Kerr called the meeting to order at 7:00 p.m., led the salute to the flag and offered a moment of silence.

Approval of Minutes

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to approve as presented the March 16, 2009 Board of Supervisors' meeting minutes. The Motion carried unanimously.

Approval of Payments

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to approve the payments to all vendors as listed April 5-11, 2009, with Mr. Donatelli abstaining from Check #38048 as it is a client of his Firm. Mrs. Tomlinson requested the "propane" label be removed from the Fetters account. The Motion carried unanimously.

Supervisors' Report

Mr. Kerr recognized Glenn Nunemaker for his decade of service on the Planning Commission and presented Glenn with a Certificate of Appreciation.

Mr. Kerr announced that Executive Sessions were held March 24, 2009 and March 31, 2009. The 7-member Township Manager Search Committee has been selected and a Consultant will be engaged to assist the Committee.

Mr. Kerr reported that he has been attending status meetings for the Southern Link. Construction is proceeding as scheduled - November 2009 is targeted to open the road. Don Carlson asked if there is incentive to be completed ahead of schedule.

Mr. Kerr reported the Census Bureau will be canvassing the Township, verifying addresses for the actual Census 2010; in recognition of Local Government Day 2009, Township Staff will present an assembly at Pickering Valley Elementary School on April 15. The following calendar was read: April 10, 2009 - Township Office is closed; April 14, 2009 4:00 p.m. Quarterly Joint Boards and Commissions Workshop; and the next Supervisors' meeting will be held April 27, 2009 7:00 p.m. due to the State Convention.

Public Works Report

Mike Heckman reported March activities included plowing and salting early in the month, upgrading of street signs, Spring maintenance to open Hickory Park, and receipt of the truck

recently purchased from Middletown Township for use by our grass mowing personnel. Hal Harper asked who is responsible for signs along Little Conestoga Road as a downed speed limit sign is now missing and Dan Jones commented on a downed stop sign at CVS/Tea Room. Little Conestoga Road is a PennDOT road and the stop sign at CVS has been re-installed. Steve Senn, Jr. commented on sight distance while exiting the Wawa. Al Gaspari alerted Wawa and their maintenance crew will trim or remove the bushes.

#### Administration

Mr. Kerr announced the Open Space, Recreation and Environmental Resource Plan (OSRER Plan) would be discussed first. Mrs. Tomlinson moved, seconded by Mr. Donatelli, to adopt the OSRER Plan dated February 18, 2009. Mr. Donatelli spoke of residents who have commented that the Plan seems to burden those who haven't sold their larger land parcels.

Steve Senn, Sr. commented the Township already has plenty of open space, especially when including Marsh Creek State Park. Steve Egnaczyk commented there isn't enough *usable* open space and did not believe local sports organizations were included in the preparation of the OSRER Plan. Mr. Kerr commented that the Committee worked for 2 years to update the OSRER and numerous public meetings were held to gain public comment. Mr. Donatelli commented that the Plan was presented very professionally. He reiterated the fields that are or will be available to organized sports teams such as those at Fellowship Fields: 2 fields for football, and the other 2 fields are multi-use; a full-size soccer field and a practice field are being constructed at "TU-1"; the various fields that are available at Hickory Park. Don Carlson commented the Park & Rec Board played a large role in the updating of this document and provided field use input, and he also made comment on the fair property value language. Doris Grassi stated a well publicized Park & Rec Survey was conducted and trails were *the* top priority; Dan Cazacu commented there currently aren't fields in the Township for soccer use. Jim Dewees requested the OSRER Plan be used as reference only, not policy. Grants are taxpayers' dollars and use of grant dollars continues to increase taxes. Mrs. Tomlinson commented that once soccer fields are available, GEYA would get use preference due to the number of Upper Uwchlan children involved in that program. Al Gaspari stated the Field Use Procedure is that organizations must send their field request form to the Park & Rec Board in care of the Township Office. The Park & Rec Board determines field use. Mr. Donatelli requested Mrs. Tomlinson's Motion be withdrawn, as well as his Second, and it was unanimous to table the adoption until the next Supervisors' meeting. Steve McNaughton asked how to now submit comments. Submit comments to Elaine Benson's attention prior to their next meeting for the Board's consideration. Steve McNaughton commented that not all property "takings" are adverse - sometimes the restrictions imposed through a Policy "take" away the owner's rights and they aren't compensated in that respect. Doris Adebajo stated she participated in the Survey and wondered if any decisions had been made regarding use of Upland Farm. Mr. Kerr advised that the Upland Farm Advisory Committee continues to gather information. Bob Feters, Jr. commented that the new developments' open space is not available to the general public and that's discriminatory. Sheila Fleming confirmed the developments have specific open space areas which are owned by the Homeowners Associations, but trails are public and link the developments. Ken Engle commented that all the fields are for organized sports - there isn't much room for non-organized activities. Mrs. Tomlinson stated Upland Farm will be passive recreation. Steve Senn, Jr. asked if wastewater disposal zones are included in open space calculations, with Sheila Fleming responding it is included. Dave Leh commented that there are two "layers" of open space - active and passive. Don Carlson commented the Flexible Development Overlay Ordinance helped the Township provide necessary facilities (wastewater treatment) without direct taxpayer funds and as part of the trade-off for those facilities, the usable open space requirement was 15% of the tract. Mr. Kerr thanked all those who offered comments.

Emergency Service Provider Resolution. Mrs. Tomlinson moved, seconded by Mr. Donatelli, to adopt Resolution #04-06-09-03, which confirms the Fire and Ambulance Companies providing emergency service response to Upper Uwchlan Township. The Motion carried unanimously.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to adopt Ordinance #09-02, which adds Milford Road (between Little Conestoga Road and Lakeview Road) to the "Parking, Stopping and Standing Restrictions" section of the Code of Upper Uwchlan. This will enable the Police Department to address overflow truck parking conditions at the TEPPCo site, if the need arises. The Motion carried unanimously.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to authorize advertisement of the 2009-2012 Solid Waste Collection bid. Mr. Kerr explained that although there is a one-year extension available on the Blosenski contract, the Township would like to solicit current pricing and also see if there are savings if we go to once/week collection vs. twice/week. Another revised bid item is once/month yard waste collection rather than the three times per year we currently have. Hal Harper asked if we are moving to single stream recycling, with Mr. Kerr replying that is the case. Norm Jacobs commented single stream recycling is currently available. Al Gaspari confirmed all recyclables are collected by one truck now. The Motion to advertise carried unanimously.

#### Open Session

Ramsey Dilibero commented the Open Space Plan should include activities/facilities for senior citizens. Doris Grassi replied a Senior Center is on the list of considerations for Upland Farm.

Mr. Dilibero commented that in the early 2000s, his family had been promised that the paper street between Route 100 and Little Conestoga Road, currently known as the East/West Link, would be named "Darrell Drive" and he was asking this Board of Supervisors to carry out that promise. Mr. Donatelli moved, seconded by Mrs. Tomlinson, to name the East/West Link to Darrell Drive. The Motion carried unanimously.

Steve Senn, Jr. commented that a skateboard park would be a nice non-organized activity to offer to the residents. Mrs. Tomlinson advised a skateboard park had been investigated and they are found to be costly and troublesome. Norm Jenkins suggested a horseshoe club. Doris Grassi advised the Upland Farm Advisory Committee meets the third Thursday of the month if anyone would like to attend.

Judy Jones commented that the trash bills are not a good forum to communicate events or surveys.

#### Adjournment

There being no further business to be brought before the Board, Mr. Kerr adjourned the meeting at 8:09 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary